

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Joseph R. Sundo
Debtor(s)

Bankruptcy Case No.: 20-20214-GLT
Issued Per Aug. 13, 2020 Proceeding
Chapter: 13
Docket No.: 38 – 17, 34
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 14, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,728 as of August 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The claim of Huntington National Bank (Claim No. 2) governs at the modified terms with payment to be determined by the Trustee.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: August 20, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Joseph R. Sundo
 Debtor

Case No. 20-20214-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 37

Date Rcvd: Aug 20, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 22, 2020.

db +Joseph R. Sundo, 1505 Middle Street, Pittsburgh, PA 15215-2531
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15186282 American Express Corporation, P. O. Box 1270, Newark, NJ 07101-1270
 15212844 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15199099 +CRB, 4315 Pickett Road, Bankruptcy Department, St. Joseph, Missouri 64503-1600
 15224829 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
 15200112 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
 15200113 +Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034,
 St Louis, MO 63179-0034
 15200114 +Collection Service Center, Inc., Pob 560, New Kensington, PA 15068-0560
 15200119 +Diversified Consultants, Inc., Attn: Bankruptcy, Po Box 679543, Dallas, TX 75267-9543
 15186285 +KML Law Group, BNY Mellon Independence Center, 701 Market Street - Suite 5000,
 Attn David Fein Esq., Philadelphia, PA 19106-1541
 15186287 +PennyMac Loan Services, LLC, 3043 Townsgate Road, #200, Westlake Village, CA 91361-3027
 15224432 +PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
 15221365 +Peoples Natural Gas Company LLC, c/o S. James Wallace, PC, 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 15200120 +SST/Cross River Bank, 4315 Pickett Road, Saint Joseph, MO 64503-1600
 15186289 Systems & Services Technologies Inc, 4315 Pickett Road, Po Box 3999,
 Saint Joseph, MO 64503-0999
 15186288 Systems & Services Technologies Inc, Po Box 5493, Carol Stream, IL 60197-5493
 15200122 ++TEMPOE LLC DBA WHY NOT LEASE IT, ATTN BOB HOLWADEL, 720 EAST PETE ROSE WAY SUITE 400,
 CINCINNATI OH 45202-3576
 (address filed with court: Tempo, 720 East Pete Rose Way, Suite 400, Cincinnati, OH 45202)
 15188709 THE HUNTINGTON NATIONAL BANK, PO BOX 889424, CLEVELAND, OH 44101-8539
 15210534 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 21 2020 04:29:46
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15210528 +E-mail/Text: bnc@atlasacq.com Aug 21 2020 04:15:36 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 15200115 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 21 2020 04:16:03
 Collection Service Center, Inc., Attn: Bankruptcy, 839 5th Ave.,
 New Kensington, PA 15068-6303
 15200117 +E-mail/Text: bankruptcy_notifications@ccsusa.com Aug 21 2020 04:16:28
 Credit Collection Services, Attn: Bankruptcy, 725 Canton St, Norwood, MA 02062-2679
 15200116 +E-mail/Text: bankruptcy_notifications@ccsusa.com Aug 21 2020 04:16:28
 Credit Collection Services, Po Box 607, Norwood, MA 02062-0607
 15186283 E-mail/PDF: creditonebknofications@resurgent.com Aug 21 2020 04:29:16 Credit One Bank,
 P.O. Box 98873, Las Vegas, NV 89193-8873
 15188533 E-mail/Text: mrdiscen@discover.com Aug 21 2020 04:15:32 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15200118 +E-mail/Text: bankruptcyntices@dcicollect.com Aug 21 2020 04:16:17
 Diversified Consultants, Inc., P O Box 551268, Jacksonville, FL 32255-1268
 15223777 +E-mail/Text: kbarkley@bernsteinlaw.com Aug 21 2020 04:16:23 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15186284 +E-mail/Text: bankruptcy@huntington.com Aug 21 2020 04:15:59 Huntingdon National Bank,
 P.O. Box 1558, Columbus, OH 43216-1558
 15224657 E-mail/Text: JCAP_BNC_Notices@jcap.com Aug 21 2020 04:16:10 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15205661 E-mail/PDF: resurgentbknofications@resurgent.com Aug 21 2020 04:29:49 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15201791 E-mail/PDF: MerrickBKNotifications@Resurgent.com Aug 21 2020 04:29:42 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 15186286 E-mail/PDF: MerrickBKNotifications@Resurgent.com Aug 21 2020 04:29:40 Merrick Bank,
 PO Box 660702, Dallas, TX 75266-0702
 15186949 +E-mail/PDF: gecsed@recoverycorp.com Aug 21 2020 04:29:07 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15186290 +E-mail/Text: BankruptcyNotice@upmc.edu Aug 21 2020 04:16:19 UPMC,
 2 Hot Metal Street, Room 386, Pittsburgh, PA 15203-2348
 15220652 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 21 2020 04:29:20 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PENNYMAC LOAN SERVICES, LLC

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 37

Date Rcvd: Aug 20, 2020

cr* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15219786* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
15200121* Systems & Services Technologies Inc, Po Box 5493, Carol Stream, IL 60197-5493
TOTALS: 1, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 22, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 20, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PENNYMAC LOAN SERVICES, LLC bkgroup@kmlawgroup.com
Kenneth Steidl on behalf of Debtor Joseph R. Sundo julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6